



PATENT
Attorney Docket No.: DIVER1280-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Short and Keller Art Unit: 1639
Serial No.: 09/685,432 Examiner: J.D. Epperson
Filed: October 10, 2000 Conf. No.: 4977
Title: HIGH THROUGHPUT SCREENING FOR SEQUENCES OF INTEREST

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

The undersigned, attorney of record for Petitioner, DIVERSA CORPORATION, with its place of business at 4955 Directors Place, San Diego, California 92121, represents that Petitioner is the Assignee of 100 percent interest in U.S. Patent Application Serial No. 09/685,432, filed October 10, 2000, entitled HIGH THROUGHPUT SCREENING FOR SEQUENCES OF INTEREST as evidenced by an Assignment recorded on April 3, 2001 in the United States Patent and Trademark Office on Reel 011674, Frame 0269. The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

01/30/2004 MAHMED1 00000125 09685432

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55.00 OP

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on January 22, 2004, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.

Karen LePari

Karen LePari

In re Application of:
Short and Keller
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Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter of the above-identified U.S. Patent Application Serial No. 09/685,432, filed October 10, 2000, that would extend beyond the expiration date of U. S. Patent No. 6,174,673. Petitioner hereby agrees that any patent so granted on the above-identified U.S. Patent Application Serial No. 09/685,432 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to U. S. Patent No. 6,174,673, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter of the above-identified U.S. Patent Application Serial No. Serial No. 09/685,432, filed October 10, 2000, that would extend beyond the expiration date of U.S. Patent Application Serial No. 09/738,871 (Pub No. 2001/004133). Petitioner hereby agrees that any patent so granted on the above-identified U.S. Patent Application Serial No. 09/685,432 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to any patent granted on U. S. Patent Application Serial No. 09/738,871, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

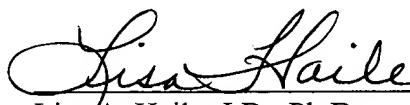
In re Application of:
Carson and Albani
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Enclosed is Check No. 552416 in the amount of \$55.00 for the Terminal Disclaimer filing fee. The Commissioner is hereby authorized to charge any additional fees associated with filing this Terminal Disclaimer, or that may be required by this paper, or to credit any overpayment to Deposit Account No. 50-1355. A duplicate copy of the sheet is enclosed.

Respectfully submitted,

Date: January 22, 2004



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